SB Civil writ Petition No.4219/2004

Chhotu Ram & ors Vs Board of Revenue & ors

20.12.2006

Hon'ble Mr Justice Ashok Parihar

Mr Rizwan Ahmed for Mr Ajeet Bhandari – for petitioners

Mr Mahesh Gupta – for respondents

BY THE COURT:

In a suit for declaration, correction and permanent injunction, ex parte decree was granted by the trial court vide order dated 25.7.1995. However, subsequently, on an application filed on behalf of the contesting respondents, the ex parte decree was set aside by the trial court vide order dated 22.10.1999 and the suit was restored to its original number. The above order dated 22.10.1999 has further been affirmed by the Board of Revenue vide order dated 31.5.2004.

After hearing learned counsel for the parties, I have carefully gone through the material on record. Since, after due consideration, proper discretion has been used by the trial court as also the Board of Revenue, in the facts and circumstances, no further interference is called for by this court under writ jurisdiction at this stage. The writ petition is dismissed accordingly as having no merit.

(Ashok Parihar) J.

bnsharma